

REMARKS

In response to the Office Action dated February 23, 2007, the Assignee respectfully requests reconsideration based on the above claim amendments and on the following remarks. The Assignee respectfully submits that the pending claims distinguish over *Sahota* and Lipkin, whether considered alone or in combination.

Claims 1-3, 6-13, and 20 are pending in this application. Claims 4-5 and 14-19 have been canceled without prejudice or disclaimer.

The United States Patent and Trademark Office (the "Office") rejected claims 1-3, 6-11, and 20 under 35 U.S.C. § 103 (a) as being obvious over U.S. Patent Application Publication 2001/0056460 to Sahota, *et al.* Claims 12 and 13 were rejected under 35 U.S.C. § 103 (a) as being obvious over *Sahota* in view of U.S. Patent Application Publication 2002/0049788 to Lipkin, *et al.*

The Assignee shows, however, that the pending claims cannot be obviated by *Sahota* and/or *Lipkin*. The pending claims recite, or incorporate, features that are not disclosed by *Sahota* and/or *Lipkin*. The Assignee thus respectfully requests removal of the § 103 (a) rejection of the pending claims.

Rejection of Claims 1-3, 6-11, & 20 under § 103 (a)

The Office rejected claims 1-3, 6-11, and 20 under 35 U.S.C. § 103 (a) as being obvious over U.S. Patent Application Publication 2001/0056460 to Sahota, *et al.* If the Office wishes to establish a *prima facie* case of obviousness, three criteria must be met: 1) combining prior art requires "some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill"; 2) there must be a reasonable expectation of success; and 3) all the claimed limitations must be taught or suggested

by the prior art. DEPARTMENT OF COMMERCE, MANUAL OF PATENT EXAMINING PROCEDURE, § 2143 (orig. 8th Edition) (hereinafter “M.P.E.P.”).

Claims 1-3, 6-11, and 20 cannot be obvious. These claims recite, or incorporate, features that are not taught or suggested by *Sahota*. All the independent claims, for example, recite “*storing an encoded platform-independent set of business rules in extensible style language translator*” (emphasis added). Examiner Ludwig is correct — *Sahota* discusses an HTML converter that uses “conversion rules” to create XML files. U.S. Patent Application Publication 2001/0056460 to *Sahota, et al.* (Dec. 27, 2001) at paragraph [0059]. No where, however, does *Sahota* disclose or suggest that these conversion rules are “*platform-independent*,” as the independent claims recite. More importantly, *Sahota* explains that these conversion rules are used to “create dynamically [*sic*] content for specific platforms and device frameworks.” *Id.* at paragraph [0059] (emphasis added). The only reasonable conclusion, then, is that *Sahota*’s conversion rules are platform-dependent. Because *Sahota* fails to disclose or suggest “*platform-independent*” conversion rules, claims 1-3, 6-11, and 20 cannot be obvious over *Sahota*.

Moreover, the pending claims recite, or incorporate, other distinguishing features. The independent claims also recite “*deploying the XSLT business rule component across multiple*” platform-dependent engines or common business services units. Support for such features may be found in the corresponding U.S. Patent Application Publication 2004/003970 to Hodges, *et al.* (Feb. 26, 2004) at paragraph [0027]. No where does *Sahota* disclose or suggest that its conversion rules are deployed across multiple platforms or units. *Sahota* merely explains that the conversion rules are stored in a repository in the content harvest and conversion platform. *See id.* at paragraph [0059] and at FIG. 2A. Because *Sahota* fails to disclose or suggest “*deploying the XSLT business rule component across multiple*” platform-dependent engines or units, claims 1-3, 6-11, and 20 cannot be obvious over *Sahota*.

Claims 1-3, 6-11, and 20 recite, or incorporate, still more distinguishing features. The independent claims recite “*when the set of business rules changes, then only changing the XSLT business rule component and reloading a changed business rule component to the multiple*

platform-dependent engines.” Support for such features may be found in the corresponding U.S. Patent Application Publication 2004/003970 to Hodges, *et al.* (Feb. 26, 2004) at paragraphs [0014], [0031], and [0045]. Because *Sahota* fails to disclose or suggest any deployment of its conversion rules, *Sahota* must necessarily fail to teach or suggest these additional features. Claims 1-3, 6-11, and 20, then, cannot be obvious over *Sahota*.

Claims 1-3, 6-11, and 20 recite, or incorporate, even more distinguishing features. The independent claims recite “*enabling a feedback loop between an input and an output*” and “*communicating with a backend service via a backend bus.*” Support for such features may be found in the corresponding U.S. Patent Application Publication 2004/003970 to Hodges, *et al.* (Feb. 26, 2004) at paragraphs [0033] and [0040]. Because *Sahota* fails to disclose or suggest these features, *Sahota* claims 1-3, 6-11, and 20, then, cannot be obvious over *Sahota*.

Claims 1-3, 6-11, and 20, then, cannot be obvious. These claims recite, or incorporate, many features that are not taught or suggested by *Sahota*. Because *Sahota* is silent to many features of the pending claims, one of ordinary skill in the art would not think that claims 1-3, 6-11, and 20 are obvious. Examiner Ludwig is thus respectfully requested to remove the § 103 (a) rejection of these claims.

Rejection of Claims 12 & 13 under § 103 (a)

Claims 12 and 13 were rejected under 35 U.S.C. § 103 (a) as being obvious over *Sahota* in view of U.S. Patent Application Publication 2002/0049788 to Lipkin, *et al.* Examiner Ludwig asserts that *Sahota* teaches calls for updated information, and *Lipkin* teaches separately storing metadata from execution data. Whether or not these assertions are true, the combined teaching of *Sahota* and *Lipkin* remains silent to “*storing an encoded platform-independent set of business rules in extensible style language translator*” (emphasis added). The combined teaching of *Sahota* and *Lipkin* remains silent to “*deploying the XSLT business rule component across multiple*” platform-dependent engines or units. The combined teaching of *Sahota* and *Lipkin* remains silent to “*when the set of business rules changes, then only changing the XSLT business*

rule component and reloading a changed business rule component to the multiple platform-dependent engines.” The combined teaching of *Sahota* and *Lipkin* also remains silent to “*enabling a feedback loop between an input and an output*” and “*communicating with a backend service via a backend bus.*” Because the combined teaching of *Sahota* and *Lipkin* is silent to all these features, one of ordinary skill in the art would not think that claims 12 and 13 are obvious. Examiner Ludwig is thus respectfully requested to remove the § 103 (a) rejection of these claims.

If any issues remain outstanding, the Office is requested to contact the undersigned at (919) 469-2629 or scott@scottzimmerman.com.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Scott P. Zimmerman', with a stylized flourish at the end.

Scott P. Zimmerman
Attorney for the Assignee
Reg. No. 41,390